

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10218-RCL
)	
JESSE WILSON)	
)	
)	

ASSENTED-TO MOTION TO EXCLUDE TIME
FROM OCTOBER 31, 2005 THROUGH DECEMBER 15, 2005

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Assistant U.S. Attorney Mark J. Balthazard, hereby moves, with the oral assent of defense counsel, Paul Garrity, that this Court enter an Order excluding the period of time between and including October 31, 2005 and December 15, 2005, from the computation of the time within which a trial must be held in this matter pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(c).

The initial status conference, originally scheduled for October 31, 2005, was continued to November 2, 2005 at the request of defendant's attorney. See docket. At the initial status conference held on November 2, the Court inquired whether the defendant wanted a period of time within which to file dispositive motions. Defense counsel answered in the affirmative and the Court ordered that any such motions be filed no later December 15, 2005.¹ The Court set the same date for the final

¹ At the initial status conference, the parties also advised the Court of its agreement that the period from September 21, 2005 through October 19, 2005 should be excluded from the running of the Speedy Trial Act because that was the

status conference. The parties agree that the period of time between October 31, 2005 and December 15, 2005 should be excluded from the computation of time within which a trial must be held. Given that the two-day continuance was at the request of the defendant, and further that the period between November 2 and December 15 was set by the Court to permit defendant time to file dispositive motions, excluding these time periods serves the ends of justice. 18 U.S.C. §3161(8)(A).

Accordingly, the parties request that this Court enter an Order excluding the time period set forth above from the computation of the time within which a trial must be held in this matter under 18 U.S.C. § 3161(c).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Mark J. Balthazard
MARK J. BALTHAZARD
Assistant U.S. Attorney

So Ordered, this ____ day of ____, 2005

JOYCE LONDON ALEXANDER
United States Magistrate Judge

period during which the government's detention motion was under advisement by the court. 18 U.S.C. §3161(h)(1)(J).